

D/L- 23  
11/11/2025  
Ct. No.-19  
Aritra

**WPA 21063 of 2025**

**Somnath Pacchar  
Vs.  
The State of West Bengal & Ors.**

Mr. Raj Kr. Sain

....for the petitioner

Mr. Tapan Kumar Mukherjee, Ld. AGP  
Ms. Sangeeta Roy

....for the State

Affidavit of service filed in Court today is taken on record.

In spite of service none appears for the private respondent.

The petitioner claims to be the recorded owner of a portion of a plot of land under L.R. Plot No.1189, Khatian No.773 within Mouza-Dhitaibasan, Police Station-Nandakumar, District-Purba Medinipur.

The petitioner states that there is a PWD road which is adjacent to the property of the petitioner. Petitioner alleges that the private respondent has made a construction on the PWD road thereby obstructing the ingress and egress of the petitioner from his property to the PWD road. Petitioner claims to have submitted a representation dated July 21, 2025 before various authorities including the Assistant Engineer, Haldia Highway Sub-Division, PWD (Roads) Directorates.

The learned advocate appearing for the petitioner submits that no steps have been taken by the authorities pursuant to representation submitted by the petitioner.

Heard Mr. Mukherjee, learned Additional Government Pleader.

Since an allegation of encroachment of a highway has been made the concerned respondent authority is duty bound to take steps in accordance with the provision of the West Bengal Highways Act, 1964.

Without entering into the merits of the allegations made in the representation dated July 21, 2025, WPA 21063 of 2025 stands disposed of by directing the Assistant Engineer, Haldia Highway Sub-Division, PWD (Roads) Directorates being the respondent No.5 to consider the representation of the petitioner dated July 21, 2025 in accordance with law and if it is found that there has been encroachment on the highway, the respondent No.5 shall take steps for removal of encroachment in terms of the provisions laid down under Section 10 of the West Bengal Highways Act, 1964.

The entire exercise shall be completed by the respondent No.5 as expeditiously as possible but positively within a period of 4 weeks from the date of receipt of a server copy of this order along with a copy of the representation dated July 21, 2025.

Since no affidavits have been called for, the allegations contained in the writ petition shall not be deemed to have been admitted.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

***(Hiranmay Bhattacharyya, J.)***